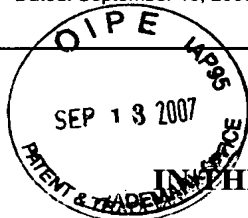


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 10, 2007 Signature: _____

(William A. Di Bianca)

SFW



Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON V
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Errico et al.

Application No.: 10/663,486

Group Art Unit: 3738

Filed: September 16, 2003

Examiner: B. E. Pellegrino

For: INTERVERTEBRAL SPACER DEVICE
HAVING RECESSED NOTCH PAIRS FOR
MANIPULATION USING A SURGICAL
TOOL

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. A copy of each reference which is not a U.S. patent or patent application is enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: September 10, 2007

Respectfully submitted,

By _____
William A. Di Bianca

Registration No.:
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Agent for Applicants



Used in Lieu of PTO/SB/08A/B
(Based on PTO 04-07 version)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/663,486-Conf. #2428
				Filing Date	September 16, 2003
				First Named Inventor	Joseph P. Errico
				Art Unit	3738
				Examiner Name	B. E. Pellegrino
Sheet	1	of	1	Attorney Docket Number	SPINE 3.0-437 CPCPCPCPCPCPCP I CON V

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-2,669,896	02-23-1954	Clough	
	AB*	US-2004/0143332-A1	07-22-2004	Krueger et al.	
	AC*	US-2004/0215198-A1	10-28-2004	Marnay et al.	
	AD*	US-3,604,487	09-14-1971	Gilbert	
	AE*	US-5,122,130	06-16-1992	Keller	
	AF*	US-5,443,514	08-22-1995	Steffee	
	AG*	US-5,755,796	05-26-1998	IBO et al.	
	AH*	US-6,066,174	05-23-2000	Farris	
	AI*	US-6,146,421	11-14-2000	Gordon et al.	
	AJ*	US-6,190,414	02-20-2001	Young et al.	
	AK*	US-6,610,093	08-26-2003	Pisharodi	
	AL*	US-6,641,614	11-04-2003	Wagner et al.	
	AM*	US-7,115,132	10-03-2006	Errico et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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